

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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In re: Methyl Tertiary Butyl Ether ("MTBE")  
Products Liability Litigation

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**Master File No. 1:00 - 1898  
MDL 1358  
M21-88**

**This Document Relates to:**

*New Jersey Department of Environmental  
Protection, et al. v. Atlantic Richfield Co., et al.*  
No. 1:08-cv-00312

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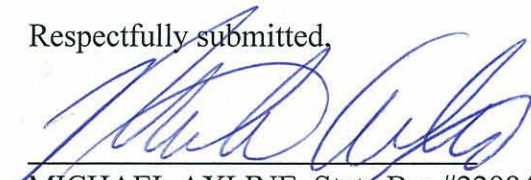
**PLAINTIFFS' NOTICE OF UNOPPOSED MOTION FOR LEAVE TO FILE  
FIFTH AMENDED COMPLAINT**

PLEASE TAKE NOTICE THAT Plaintiffs New Jersey Department of Environmental Protection, the Commissioner of the New Jersey Department of Environmental Protection, and the Administrator of the New Jersey Spill Compensation Fund hereby move this Court, before the Honorable Vernon S. Broderick, at the Thurgood Marshall United States Courthouse, 40 Foley Square, Room 415, New York, NY 10007, at a date and time to be determined by the Court, for an Order granting Plaintiffs' Unopposed Motion for Leave to File Fifth Amended Complaint.

This Motion is based on this Notice of Motion and on the Exhibits thereto. This Court previously authorized these amendments to the Complaint, and the Lukoil entities do not oppose this motion.

Dated: June 28, 2016

Respectfully submitted,



MICHAEL AXLINE, State Bar #229840

*Special Counsel for Plaintiffs*

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Dated: June 28, 2016

/s/

GWEN FARLEY

Deputy Attorney General

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**PROOF OF SERVICE VIA LEXISNEXIS FILE & SERVE**

*New Jersey Department of Environmental Protection, et al. v. Atlantic Richfield Co., et al.*  
United States District Court, Southern District of New York, Case No. 08 Civ. 00312 (SAS)

I, the undersigned, declare that I am, and was at the time of service of the paper(s) herein referred to, over the age of 18 years and not a party to this action. My business address is 1050 Fulton Avenue, Suite 100, Sacramento, CA 95825-4225.

On the date below, I served the following document on all counsel in this action electronically through LexisNexis File & Serve:

**PLAINTIFFS' NOTICE OF UNOPPOSED MOTION FOR LEAVE TO FILE  
FIFTH AMENDED COMPLAINT**

I declare under penalty of perjury under the laws of the United States of America and the State of California that the foregoing is true and correct.

Executed on June 28, 2016, at Sacramento, California.

  
KATHY HERRON